

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Special Session

September 20, 2002  
7:30 a.m.

Conference Room 3 A/B – City Hall  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Degginger, and Councilmembers Creighton, Davidson, and Noble

ABSENT: Councilmembers Lee and Mosher

1. Executive Session

Mayor Marshall called the meeting to order at 7:33 a.m. There was no executive session.

Mrs. Marshall explained that the City must file by 4:30 p.m. today in order to place the parks and open space bond issue on the November ballot. The purpose of today's meeting is for Council to decide about how to proceed.

2. Oral Communications

- (a) John Albertson alleged Council was in violation of state law regarding public notice of open meetings. He said this meeting's agenda was not published in the newspaper or on the City's web site.
- (b) Keith Jackson asked Council to place Proposition 1 on the November ballot. He said the proposition has been properly considered by the Parks Department and represents a long-term plan for the continued development and completion of Bellevue parks. He feels the lack of voter turnout contributed to its failure at the September polls.

3. Consideration of Ordinance No. 5410 authorizing a parks and open space bond issue to be placed on the November 5, 2002, election ballot in the amount of \$68,000,000. This ballot proposition is "provisional" and contingent upon the official outcome of the September 17, 2002 election. Should final election results exceed requirements for both voter approval and minimum voter turnout, this "provisional" ordinance would be pulled by the County and this measure would not be placed on the November ballot.

Mayor Marshall asked staff to clarify noticing requirements for public meetings. Jerome Roaché, Assistant City Attorney, said the guidelines for public meetings require proper written notice, 24 hours in advance, to each member of the governing body and the local newspaper. Myrna Basich, City Clerk, said the meeting was noticed on Wednesday, September 18, in

advance of the 24-hour notice requirement. Mayor Marshall declared that the meeting would proceed.

Mayor Marshall said today is the deadline to place the parks and open space bond issue on the November ballot, although the September election will not be formally certified until next Friday. She asked staff to provide an update on the election results.

Patrick Foran, Parks and Community Services Director, said Proposition 1 results to date indicate 58.7 percent in favor and 41.3 percent against the measure. The validation requirement for this measure is 11,666 votes, and 10,428 votes were counted as of September 18. Mr. Foran said an additional 7,000 absentee ballots have been validated and will be counted over the next few days, so the measure will meet its validation requirement. Results for Proposition 2, the maintenance and operations levy, indicate 67 percent in favor and 33 percent against the measure as of September 18.

Mr. Foran said Council must provide an ordinance to King County by 4:30 p.m. today if it wishes to place Proposition 1 on the November ballot. Council must also appoint the committees today to write the statements for and against the proposition for the voters pamphlet. If Council wants to place the measure on the November ballot, the ordinance will reflect the new election date and eliminate all references to the maintenance and operations levy.

Reflecting on the pros and cons, Mr. Foran said the November election takes advantage of the momentum and voter education generated by the September ballot while providing an opportunity for greater voter participation. However, deferring to a future election date would allow Council to thoroughly reconsider the whole issue. He noted that future elections will have the same validation requirement as well as unknown competing ballot measures. The current bond package of \$68 million reflects the community's priorities and preferences.

Dr. Davidson noted his previous Council vote against placing Proposition 1 on the ballot. He felt the bond amount should be lowered to increase the chance of 60-percent voter approval and to allow the City to complete some projects within five years and then introduce another bond measure. He is in favor of acquiring land now because costs will continue to escalate. Dr. Davidson cautioned against placing the measure on the November ballot because he suspects this could generate a more active opposition movement.

Mr. Noble feels the bond package will benefit the community and that the timing is right given lower interest rates and property values. He attributes the apparent failure of the proposition to low voter turnout rather than the merits of the bond package. He is optimistic that Proposition 1 will pass in the November election and suggested that Council move forward with the same \$68 million package.

Deputy Mayor Degginger discussed the need to invest in the future and the quality of life that everyone in Bellevue appreciates, including its valued park system. Voter approval of the maintenance and operations levy indicates strong citizen support for parks and open space. Mr. Degginger noted the low voter turnout, the confusing format of the ballot which made it difficult

for voters to find Proposition 1, and the narrow margin of failure. He is in favor of continuing the momentum and placing the bond package on the November ballot.

Mr. Creighton remains optimistic the bond package will pass given the number of absentee ballots to be counted. If the measure fails due to a lack of the required voter turnout, he is in favor of placing it on the ballot again. However, if sufficient votes are cast and the package fails, that decision must be respected. Mr. Creighton would be willing to consider a smaller bond package if the current measure fails.

Mayor Marshall expressed support for the bond package developed over several months through input from Council, staff, and the public. She has heard no opposition to the bond measure except for the statement against in the voters pamphlet. Noting that two Councilmembers present are interested in reducing the bond amount, Mrs. Marshall questioned the possibility of agreeing on a lower dollar amount today and then working out what projects would be eliminated at a later date.

Stacey Crawshaw-Lewis, Preston Gates & Ellis, said the proposition includes a dollar amount and brief description but also incorporates the City ordinance by reference. She said the detailed description in the ordinance should accurately reflect potential expenditures. Council would not have an opportunity to revise or refine the detailed description in the ordinance at a later date.

Dr. Davidson questioned the ability to state “development” projects as an expenditure category in the same way that acquisitions are listed as a general category. Ms. Crawshaw-Lewis said the ordinance does not need to be as detailed as it is currently written but it should describe how funds are to be used.

Deputy Mayor Degginger recalled prior Council discussions and general support for a \$60 million bond, which was also supported by residents in the community survey.

Mayor Marshall would reluctantly support a \$60 million bond if that is Council’s preference. However, she noted that a higher dollar amount was favored for acquisitions with the reasoning that land will continue to increase in price. Mayor Marshall is reluctant to reduce development projects as well, particularly when so many people in the community have worked hard to support the campaign because they want to see the parks and projects completed.

Mr. Noble expressed support for a \$60 million bond package.

Dr. Davidson is in favor of maintaining the acquisitions previously identified and scaling back development projects. He noted that development projects can be completed in phases.

Mr. Foran said absentee ballots for the November election will be mailed in approximately three weeks. He questioned the feasibility of changing the proposition at this point and conducting appropriate voter education.

Deputy Mayor Degginger suggested lowering both acquisition and development expenditures if the bond package is reduced. He was not at the Council meeting in which the final vote

regarding the bond measure was taken. Mr. Degginger noted the Enatai Beach development project (\$2 million) as a lower priority for him because it is already a strong functioning park. He suggested lowering the amount for neighborhood and mini-park development from \$4 million to \$3 million and lowering each of the three acquisition categories by \$1 million.

Mr. Creighton agreed about decreasing funds for both acquisition and development. He favors Dr. Davidson's suggestion to decrease the dollar amount but to make decisions about specific projects at a later date.

Mayor Marshall concurred. She recommends the ordinance refer to "development projects such as... (list of possible projects)" to provide the opportunity for Council to talk further with the public about their priorities.

Ms. Crawshaw-Lewis stated her understanding of Council's intent to eliminate items 4 through 12 in Section 1 of the draft ordinance and replace them with a development projects category. A dollar amount would be specified as well as an illustrative list of possible projects, based on the projects currently referenced in items 4 through 12. Ms. Crawshaw-Lewis confirmed that this approach complies with legal guidelines.

Responding to Mayor Marshall, Mr. Foran said the Enatai Beach development project contains three major elements (dock, parking lot, and play area) which could be scaled back if desired. Mrs. Marshall expressed concern about promising projects that potentially might not be delivered with the bond funds.

Mr. Foran distributed copies of the parks and open space bond fact sheet to aid in Council's discussion. Ms. Crawshaw-Lewis said the fact sheet should be modified to reflect the more general ordinance, if that is Council's final decision and approach.

Responding to Mayor Marshall, Ms. Basich said Councilmember Mosher will not be at the Council meeting on September 23 but Councilmember Lee is expected to attend.

Dr. Davidson encouraged moving forward with the approach under discussion and addressing specific details on Monday night.

Mayor Marshall commented that development of the parks system is an ongoing mission. She suggested eliminating Crossroads Park and Enatai Beach Park from the list of potential development projects because both have experienced recent upgrades/development. She said these and other projects could still be funded through the Capital Investment Program (CIP) and future budget allocations.

Dr. Davidson suggested trail development as another item to eliminate. Mr. Noble prefers to prioritize neighborhood park projects above the continued development of Downtown Park for the next few years.

Responding to Mr. Degginger, Mr. Foran commented on the likely impact of funding cuts to the bond package. Enatai Beach Park development could either be eliminated or reduced to \$1

million. If funding is retained for this park, the highest priority according to residents is a need for expanded parking facilities. Crossroads Park could be scaled back to \$500,000 for the development/expansion of an international play area, the master plan's signature element for the park.

Mr. Foran noted that proposed funding of \$3 million for Bellevue Botanical Garden requires the Botanical Garden Society to raise \$2 million. He cautioned against jeopardizing this project, which has a large constituency of support within the community. He recommends retaining full funding for Phase 1 development of a community park at the Boeing Eastgate site and for sports field improvements at school and park locations. Trail development could be scaled back to \$500,000 by choosing to develop less costly trail segments. Mr. Foran suggested that \$1 million could be eliminated from neighborhood and mini-park development.

Responding to Mr. Creighton, Mr. Foran said a question he has heard most since coming to work for the City is – When are you going to complete the circle at Downtown Park? Mr. Foran noted strong community support for continued development of the park but deferred to Council to make the decision. He said the North Bellevue Community/Senior Center expansion project has a broad base of support within the community as well.

Mr. Foran noted that reducing development projects by \$4 million reflects an overall 10 percent cut, which he feels is feasible.

Following additional brief Council discussion, Mayor Marshall noted consensus to reduce the \$68 million bond as follows:

- Neighborhood and mini-park development – eliminate \$1 million.
- Trail development – eliminate \$1 million.
- Enatai Beach Park development – eliminate \$1 million.
- Acquisition funding – reduce by \$5 million.

Council expressed support for this approach. Mayor Marshall thanked Mr. Foran for his guidance in this process.

Mr. Noble acknowledged this is a significant reduction from what Council originally intended for the community. However, these reductions will enable the City to complete many beneficial projects without putting additional strain on the Parks Department budget.

Deputy Mayor Degginger noted Council's many hours of discussion to develop the \$68 million bond package. He knows parks are valued by the community and contribute to a favorable quality of life.

- (a) Ordinance No. 5410 authorizing that the parks and open space bond issue be placed on the November 5, 2002, General Election ballot in the amount of \$60,000,000 for the purpose of acquiring, improving, and developing open space and park facilities.

- Deputy Mayor Degginger moved to adopt Ordinance No. 5410, and Mr. Noble seconded the motion.
- The motion to adopt Ordinance No. 5410 carried by a vote of 5-0.
  - (b) Motion to authorize participation in the King County Voter's Pamphlet for the November 5 General Election, the cost of which will be included in the City's prorata billing for election costs.
- Deputy Mayor Degginger moved to authorize participation in the King County Voter's Pamphlet for the November 5 General Election, the cost of which will be included in the City's prorata billing for election costs. Mr. Noble seconded the motion.
- The motion to authorize participation in the King County Voter's Pamphlet for the November 5 General Election carried by a vote of 5-0.
  - (c) Motion to reappoint Nan Campbell, Keith Jackson, and Barbara Sauerbrey to the "Statement For" committee and John Albertson and Scott Leonard to the "Statement Against" committee for development of explanatory information for the voter's pamphlet.

Responding to Mayor Marshall, Ms. Basich said the committee appointees will be contacted today to determine their willingness and ability to serve again. Ms. Basich said the committees have the option to reaffirm what they wrote for the September voter's pamphlet or to revise it.

With Council's consent, Mayor Marshall asked John Albertson if he would be willing to serve on the "Statement Against" committee and he responded in the affirmative.

- Deputy Mayor Degginger moved to reappoint, upon their consent, Nan Campbell, Keith Jackson, and Barbara Sauerbrey to the "Statement For" committee and John Albertson and Scott Leonard to the "Statement Against" committee for the development of explanatory information for the voter's pamphlet. Mr. Noble seconded the motion.
- The motion to reappoint, upon their consent, Nan Campbell, Keith Jackson, and Barbara Sauerbrey to the "Statement For" committee and John Albertson and Scott Leonard to the "Statement Against" committee for the development of explanatory information for the voter's pamphlet carried by a vote of 5-0.

At 9:14 a.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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